

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RUTHIE ROBERTSON,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

CIVIL NO. 07-CV-12027

DISTRICT JUDGE GEORGE CARAM STEEH

MAGISTRATE JUDGE R. STEVEN WHALEN

ORDER EXTENDING TIME TO FILE SUMMARY JUDGMENT MOTIONS

On September 7, 2007, this Court set a schedule for the filing of summary judgment motions in this Social Security Disability case. Plaintiff Ruthie Robertson's motion was due on October 10, 2007. However, on September 27, 2007, Ms. Robertson, who is not represented by an attorney, wrote a letter to the Court asking for a lawyer to help her prepare her motion.

On May 14, 2007, the District Judge denied Ms. Robertson's motion to appoint counsel, and I am not prepared to set aside that order. At the same time, I understand that as a lay person, Ms. Robertson does not have the training or skill to file a motion and brief that would approach the standard of one submitted by a practicing attorney. However, *pro se* pleadings (that is, pleadings filed by an unrepresented person) are given a liberal construction by the courts, and do not necessarily have to conform to the format or quality we would expect from a lawyer. See *Martin v. Overton*, 391 F.3d 710, 712 (6th Cir. 2004), citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); *Herron v. Harrison*, 203 F.3d 410, 414 (6th Cir. 2000) (*pro se* pleadings are held to "an especially liberal standard"); Fed.R.Civ.P. 8(f) ("All pleadings shall be so construed as to do substantial justice").

The Court also recognizes that Ms. Robertson will need additional time to file her summary

judgment motion.

Therefore, the Court orders as follows:

(1) Plaintiff Robertson shall file her motion for summary judgment by NOVEMBER 21, 2007. Her motion does not have to be in a specific legal format, but may take the form of a narrative. In other words, she should tell what mistakes she thinks the Administrative Law Judge or the Commissioner made, and why she thinks she should receive disability benefits. She must send her motion to the Clerk of this Court, and a copy to:

Janet Parker
U.S. Attorney's Office
101 First Street, Suite 200
Bay City, MI 48701

(2) The Defendant's motion for summary judgment is due by DECEMBER 21, 2007.

(3) Plaintiff Robertson may file a reply to the Defendant's motion by JANUARY 4, 2008.

SO ORDERED.

s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: October 17, 2007

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on October 17, 2007.

s/Gina Wilson
Judicial Assistant